

the United States Capitol Police force, transfer accrued compensatory time off for application with respect to his employment by any other department, agency, or establishment of the Federal Government or the District of Columbia. No officer or employee may, upon such termination, receive any lump-sum payment with respect to such accrued compensatory time off.

(f) Definitions

For purposes of this section—

(1) the term “officer” includes all personnel of the rank of lieutenant or higher, including inspector; and

(2) the term “member” includes all personnel below the rank of lieutenant, including detectives.

(Pub. L. 92–184, ch. IV, Dec. 15, 1971, 85 Stat. 636; Pub. L. 93–245, ch. VI, § 600, Jan. 3, 1974, 87 Stat. 1079; Pub. L. 93–554, title I, ch. III, Dec. 27, 1974, 88 Stat. 1777; Pub. L. 104–186, title II, § 221(10), (11), Aug. 20, 1996, 110 Stat. 1750.)

CODIFICATION

Subsecs. (a) to (f) of this section are based on section 3 of H. Res. No. 449, Ninety-second Congress, June 2, 1971, enacted into permanent law by Pub. L. 92–184, as amended by H. Res. No. 398, Ninety-third Congress, June 4, 1973, eff. Jan. 3, 1974, enacted into permanent law by Pub. L. 93–245, and H. Res. No. 1309, Ninety-third Congress, Oct. 10, 1974, eff. Dec. 27, 1974, enacted into permanent law by Pub. L. 93–554.

Subsec. (g) of this section was based on section 3 of H. Res. No. 1309, Ninety-third Congress, Oct. 10, 1974, eff. Dec. 27, 1974, enacted into permanent law by Pub. L. 93–554, and was repealed by Pub. L. 104–186, title II, § 221(11)(B), Aug. 20, 1996, 110 Stat. 1750. See 1996 Amendment note below.

As originally codified, this section consisted of two undesignated pars. based on sections 3 and 5 of H. Res. No. 449, Ninety-second Congress, June 2, 1971, enacted into permanent law by Pub. L. 92–184. Section 5 of H. Res. No. 449 was superseded by section 3 of H. Res. No. 1309, formerly set out as subsec. (g) of this section, and was subsequently repealed by Pub. L. 104–186, title II, § 221(11)(B), Aug. 20, 1996, 110 Stat. 1750.

AMENDMENTS

1996—Subsec. (a)(1). Pub. L. 104–186, § 221(10), substituted “Chief Administrative Officer” for “Clerk”.

Subsec. (d). Pub. L. 104–186, § 221(11)(A), substituted “House Oversight” for “House Administration”.

Subsec. (g). Pub. L. 104–186, § 221(11)(B), struck out subsec. (g) which read as follows: “There shall be paid out of the contingent fund of the House of Representatives, until otherwise provided by law, such sums as may be necessary to make payments of overtime pay under the provisions of this section.”

CHANGE OF NAME

Committee on House Oversight of House of Representatives changed to Committee on House Administration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

§ 206c. Emergency duty overtime pay for Capitol Police from funds disbursed by Secretary of the Senate; compensatory time off in place of additional pay; election, accrual and transfer of time off; rules and regulations

Each officer or member of the Capitol Police force whose compensation is disbursed by the Secretary of the Senate, who performs duty in addition to the number of hours of his regularly scheduled tour of duty for any day on or after

July 1, 1974, is entitled to be paid compensation (when ordered to perform such duty by proper authority) or receive compensatory time off for each such additional hour of duty, except that an officer shall be entitled to such compensation only upon a determination made by the Capitol Police Board with respect to any additional hours. Compensation of an officer or member for each additional hour of duty shall be paid at a rate equal to his hourly rate of compensation in the case of an officer, and at a rate equal to one and one-half times his hourly rate of compensation for a member of such force. The hourly rate of compensation of such officer or member shall be determined by dividing his annual rate of compensation by 2,080. Any officer or member entitled to be paid compensation for such additional hours shall make a written election, which is irrevocable, whether he desires to be paid that compensation or to receive compensatory time off instead for each such hour. Compensation due officers and members under this paragraph shall be paid by the Secretary, upon certification by the Chief of the Capitol Police at the end of each calendar quarter and approval of the Capitol Police Board, from funds available in the Senate appropriation, “Salaries, Officers and Employees” for the fiscal year in which the additional hours of duty are performed without regard to the limitations specified therein. Any compensatory time off accrued and not used by an officer or member at the time he is separated from service on the Capitol Police force may not be transferred to any other department, agency, or establishment of the United States Government or the government of the District of Columbia, and no lump-sum amount shall be paid for such accrued time. The Capitol Police Board is authorized to prescribe regulations to carry out this section.

(Pub. L. 92–51, July 9, 1971, 85 Stat. 130; Pub. L. 93–145, Nov. 1, 1973, 87 Stat. 532; Pub. L. 93–371, § 5, Aug. 13, 1974, 88 Stat. 430.)

AMENDMENTS

1974—Pub. L. 93–371 generally amended provisions relating to payment of emergency duty overtime pay and inserted provisions relating to election by officers or members entitled to compensation for additional duty of either payment of such compensation or compensatory time off in place of any additional pay, and provisions setting forth duties of the Capitol Police Board with respect to approval of additional compensation payments and promulgation of rules and regulations for implementing this section, effective July 1, 1974.

1973—Pub. L. 93–145 inserted “inspectors,” before “captains”.

§ 207. Payment of Capitol Police

The said police shall be paid on the order of the Sergeant at Arms of the Senate and the Sergeant at Arms of the House, or of either of them.

(R.S. § 1822.)

CODIFICATION

Provisions of R.S. § 1822 relating to composition and pay rates of the Capitol police were omitted as obsolete and superseded.

R.S. § 1822 derived from acts Mar. 30, 1867, ch. 20, § 1, 15 Stat. 11; Mar. 3, 1871, ch. 113, § 1, 16 Stat. 477.

CROSS REFERENCES

Pay during suspension, see section 209 of this title.